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**UNITED STATES DISTRICT COURT**  
**EASTERN DISTRICT OF WASHINGTON**  
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10 **UNITED STATES OF AMERICA,**  
11 Plaintiff,  
12 v.  
13 **OMAR LIZARRAGA-CEDANO,**  
14 Defendant.  
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CR-04-15-FVS

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17 **ORDER DENYING MOTION TO**  
**VACATE**

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**THE DEFENDANT** having previously sought relief pursuant to 28 U.S.C. §  
2255; the Court having denied separate § 2255 motions on August 9, 2007, and  
August 23, 2010; the instant motion to vacate therefore being a successive § 2255  
motion; and it being clearly established the defendant must obtain permission from  
the Ninth Circuit before again seeking relief pursuant to § 2255; Now, therefore

**IT IS HEREBY ORDERED:**

1. The Defendant's motion to vacate (**ECF No. 280**) is denied because he has  
not obtained permission from the Ninth Circuit to file a successive § 2255 motion.

1           2. The defendant may not file a motion for reconsideration.

2           3. The Court will not issue a certificate of appealability.

3           **IT IS SO ORDERED.** The District Court Executive is hereby directed to file  
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this Order and furnish copies to the defendant and to counsel for the plaintiff.  
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6           **DATED** this 19th day of July, 2016.

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9                         s/Fred Van Sickle  
10                  FRED VAN SICKLE  
11                  Senior United States District Judge  
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